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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,658	01/13/2006	Hans-Helmut Bechtel	DE0300247	9677

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

SUCH, MATTHEW W

ART UNIT	PAPER NUMBER
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2891

MAIL DATE	DELIVERY MODE
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10/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/564,658	Applicant(s) BECHTEL ET AL.	
	Examiner Matthew W. Such	Art Unit 2891	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

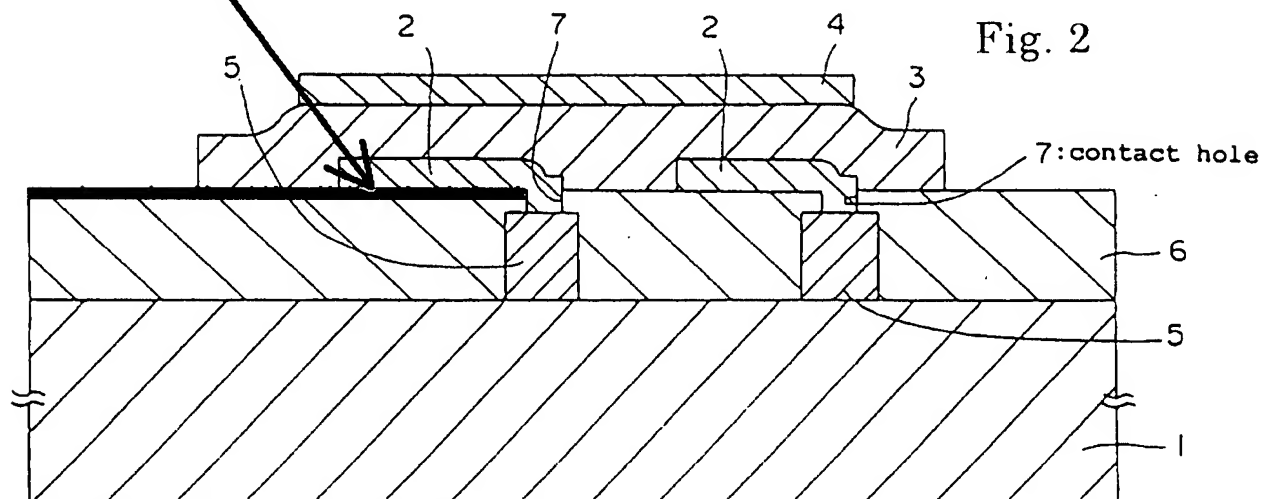
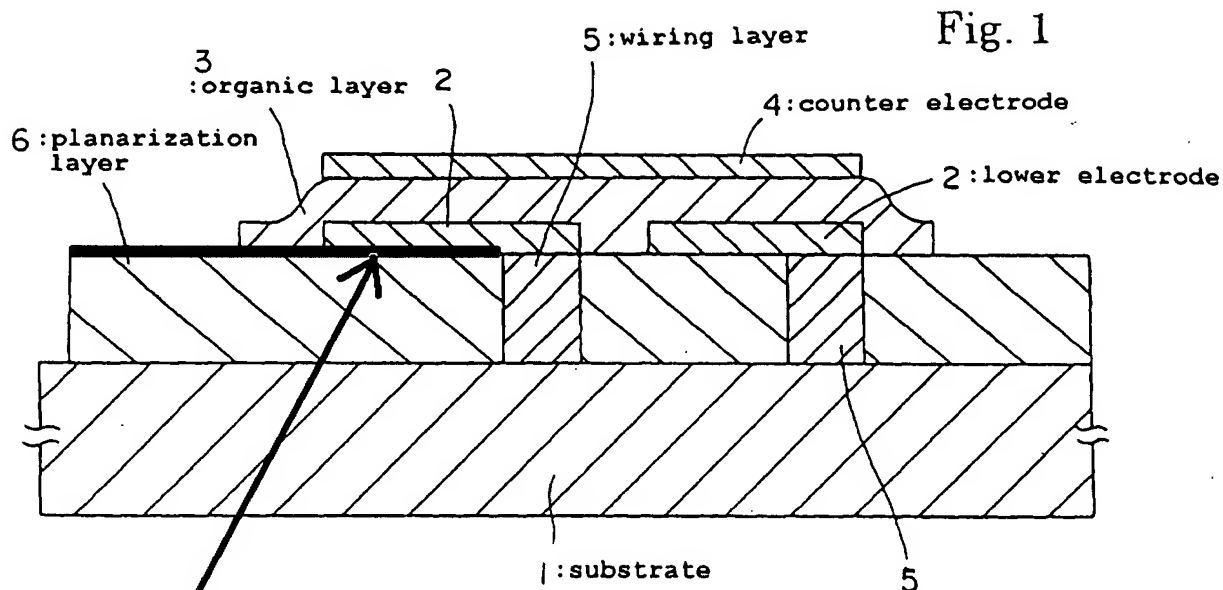
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Hosokawa ('035; as supplied with Office Action dated 30 April 2007).

Hosokawa teaches an electroluminescent device having a substrate (Elements 1 and 6 in combination), a metallic structure (Element 5) incorporated into the substrate, and “a layer assembly” with a first electrode (Element 2), an electroluminescent layer (Element 3), and a second electrode (Element 4). The metallic structure, which can be strips (Figs. 2 and 13, for example), is in electrical contact with the first electrode (Figures). The resistance of the metallic structure is lower than the layer resistance of the first electrode (see, for example, Abstract, Disclosure of Invention Sections) and that the metallic structure thickness is greater than the thickness of the first electrode (see, for example, Figs. 1 and 2). The Examiner notes that the manner in which the claim is written does not limit the structural relationship between “the surface” of the substrate and the metallic structure and any surface can be arbitrarily selected so long as “the layer assembly” is formed on “the surface” (for example, the Examiner chooses the surface to be the interface between Elements 2 and 6 as “the surface”):



Furthermore, Hosokawa teaches that the metallic layer (Element 5) does not protrude above the lower electrode and is implanted in the substrate (Page 5, Lines 54-55). Since "the surface", is defined, for example, as shown above, the metallic structure covers none (which is not more than 10%) of "the surface" of the substrate.

Response to Arguments

3. Applicant's arguments filed 30 July 2007 have been fully considered but they are not persuasive. The Applicant argues that the prior art reference of Hosokawa does not anticipate the claims. In response, the Examiner notes that the prior art reads on the claims as written and as shown in the present Office Action. The manner in which the claims are written fails to describe what is included and excluded by the term "the surface" as well as what constitutes "covers" with sufficient specificity in order to distinguish the claims from the prior art as applied in the present Office Action.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Eida ('467), Ishikawa ('358), Yamazaki ('431, see, for example, a drain electrode connected to a pixel electrode) and Jeong ('742) each teach various configurations of metallic structures formed in substrates. Furthermore, the Examiner notes that the claims merely require one metallic structure, which can be any one of an interconnect or source/drain electrode of a conventional TFT/OLED device (such as Element 24 of Noguchi '955). The top view cross-sectional area of one source/drain electrode out of an entire substrate, which can comprise thousands of identically sized source/drain electrodes in each identically sized pixel in a display, such as a conventional flat-panel monitor is cannot, by geometrical constraint, "cover" more than 10% of the entire substrate.

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Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew W. Such whose telephone number is (571) 272-8895.

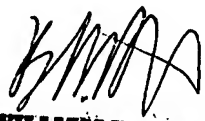
The examiner can normally be reached on Monday - Friday 9AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley W. Baumeister can be reached on (571) 272-1722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew W. Such
Examiner
Art Unit 2891

MWS
10/9/07


B. WILLIAM BAUMEISTER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800